

Department of Planning and Development

Diane M. Sugimura, Director

M E M O R A N D U M

TO: Councilmember Peter Steinbrueck, Chair, UD&P Committee
Councilmember Richard Conlin
Councilmember Tom Rasmussen

FROM: Diane M. Sugimura

DATE: April 7, 2006

SUBJECT: Committee Briefing: DPD Monthly Update for April 12, 2006 Meeting

WiFi in the Applicant Services Center

The ASC lobby is now wired for wireless! Customers, with a wireless enabled laptop, will be able to connect to the internet while waiting for services. Even better, customers who have forgotten intake material or similar items and who also have remote access to their work networks can hop on WiFi and email the document to the intake staff, reviewer or other DPD personnel. We will be advertising and highlighting the service starting in mid-April.

Land Use

In March there were 95 applications, putting us over 90 for the third straight month. This represents an increase of approximately 60% over the same period in 2005. Design Review MUP applications were prevalent, and we have also received more applications triggering environmental review – 22% compared to 10-15% of our work most of last year. The increase in volume of SEPA review this month is in part due to a number of telecommunication applications.

In March we published 124 decisions up from 49 in January and 67 in February. This is great but likely not sustainable. The increased number of decisions published was in part due to a large number of platting actions published from our consultants and from our platting pilot. We published approximately 64 platting actions in March, up from 13 in January and 38 in February.

Building Permits

Through the end of February, we had taken in 1,319 applications. The value of the projects that have been taken in during the same period is only slightly (4%) ahead of our projection, with a combined intake value of just over \$262,000,000.

Recent Abatement Demolition

In April 2003, we initiated an abatement violation case on a severely fire-damaged tavern structure located at 8901 Roosevelt Way NE. DPD and various City officials have received complaints from neighbors about the condition of the property and the length of time to address the issue. Very little of the original structure remained – portions of two walls, some concrete floor and a section of a bar/counter.

In May of 2003, the owner, who has been at odds with his insurance company over the cause of the fire, was issued an order by DPD to either repair or demolish the remaining portions of the structure. He failed to do so, and the City sued him for noncompliance in January, 2004. The owner and City entered into an agreement in May 2004 under which the owner committed to applying for a permit to redevelop the property by mid-September, 2004. The City obtained a court abatement order in December, 2004 after the owner failed to comply the settlement agreement. The owner negotiated with the City over a considerable period of time to try to save the remains of the structure through bracing and other measures to improve its stability, but ultimately failed to resolve the issues. On February 28 of this year, we demolished the remains of this structure.

A “Win” on Longstanding Violation

The City prevailed in Municipal Court on summary judgment against property owner Bill Lipscomb with regard to his property at 2810 NW 62nd St. This was a rented home that had a fire several years ago in which an infant was badly burned; the owner had never repaired the fire damage nor adequately closed the structure. DPD has had more than 100 violation cases against Mr. Lipscomb for ten properties he owns within the City limits; we demolished one of his properties on Magnolia late last year. In this action the City sought an abatement order to allow demolition by the City, and civil penalties of \$185,000; Judge Hurtado granted both (including full and unmitigated penalties). The judge rejected the defendant's argument that the issuance of building permits indicated that abatement was inappropriate and established progress towards compliance. He criticized the defendant's "pernicious and total disregard of the rule of law" and said the building should be demolished as soon as possible.

Planning Activities:

Downtown Zoning Completed: We're very pleased that this task has been completed. Thanks for the all the work, especially to Rebecca and Ketil.

Neighborhood Business District Strategy: We are working closely with CM Steinbrueck and Central staff on NBDS. We hope we can continue the goal of simplifying the code as we make improvements. While we understand the need to work through issues, we hope that this does not lead to unintended consequences and complicating the code. Before the final vote, we would like to step-back to get an overall view of decisions made. We are concerned that we may lose sight of the overall objectives of this project as we work through the details.

Environmentally Critical Areas Ordinance: We are very pleased that Council approved the ECA legislation. We believe we achieved a good balance between growth and protecting the environment. We are working on staff training, Client Assistance Memos, and other materials to inform staff and the public about the new regulations.

Livable South Downtown: Staff recommendations were published in March. We will be receiving comments from the community for several months. We are also in the process of developing the scope for the EIS.

Waterfront Concept Plan: We issued the staff recommended report in February, and are scheduling briefings with CM Steinbrueck. We are anxious to get started on the public realm plan since the Alaskan Way Tunnel team is making decisions that will impact the surface streets and open spaces. We hope Council will soon approve that package.

South Lake Union Neighborhood Plan Update:

About 80 people attended the second of three public meetings on Tuesday evening. We received high praise for the way we are conducting this process. The level of interest and knowledge of the issues was very high. There seems to be substantial, though not unanimous, support for some height increases and for allowing housing in the current IC district. We will have a third meeting in June/July to prepare for Comp Plan amendments.